

# Alabama Board of Physical Therapy

## Newsletter

### BOARD MEMBERS

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John Cormier Tuscaloosa, AL Secretary	PT
Eric Dekle Mobile, AL Treasurer	PT
Jay H. Segal Birmingham, AL Member	PT
Mitzi Watson Headland, AL Member	PTA
Mary Jolley	Consumer Member
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### WELLNESS PROGRAM

#### What Is This All About?

Well, it's official. The profession of Physical Therapy can now have a Wellness Program. So, what is it? When is it going to happen? Who sets it up? Who is it for? These are all good questions. The purpose of this article is to clarify what this program is all about and answer these questions. This type of program may be more familiar to many of you as a substance abuse or impaired practitioner program, but it is much more inclusive than that. It is a program that identifies, treats, and monitors professionals who have some addictive behavior or mental disorder that potentially interferes with their ability to practice with reasonable skill and safety. This can include a drug or sex addiction, alcoholism, those suffering from recoverable mental disorders such as acute or chronic depression and anxiety, as well as intervention of those who suffer from unrecoverable mental diseases such as schizophrenia, Alzheimer's, and other organic brain diseases, and traumatic brain dysfunctions. The program will allow licensees to self-refer or be referred by the Physical Therapy Board. The program will include an evaluation process, treatment intervention, and a post-treatment monitoring protocol.

The Physical Therapy Board is in the process of finding and hiring someone to administer this program. We are currently soliciting resumes of qualified individuals and holding interviews. Once we have hired someone, the Board will work with this person to develop and write out the specifics of the program. There are other medical professionals who already have such a program, including Dentistry, Pharmacy, and Chiropractic, and we plan to utilize what they have done and their experiences to develop our program. The recent legislation that passed states that the Physical Therapy Board shall provide a program beginning January 1, 2014.

This is a necessary and very much needed program for our profession. The Board's primary concern is to protect the public, but at the same time, it needs to provide help to our licensees. The Board welcomes your questions, as well as your input, as we go through this process. Please feel free to contact me, as the Board member responsible for organizing this program, the Board office, or any of the Board members.

Jay Segal, PT

## **How Does the Jurisprudence Continuing Education Course Requirement Affect You?**

The Alabama Board has been diligently working to improve the laws and rules governing the practice of physical therapy in this state. There have recently been many legislative changes and updates made that all licensees should be aware of and should be abiding by to provide safe and legal physical therapy services to the public. In order to monitor and regulate safe practice in the state of Alabama, one of the changes the Board has made is in the continuing education requirements for physical therapy licensees.

All licensees will be required to take a minimum of two hours of Alabama jurisprudence continuing education units every other year as long as they hold a license in the state of Alabama.

Beginning with the upcoming license renewal period, 2012, physical therapists are required to complete 2 hours of Alabama Jurisprudence Continuing Education Units (CEU). This is included in the already required 10 hours of CEU. This will be a continuing requirement for PT licensees each “even” year that they renew Alabama PT licenses. Physical Therapist Assistants are required to complete 2 hours of Alabama Jurisprudence Continuing Education beginning in the renewal period for 2013, and every odd year that they renew Alabama PTA licenses. These are also included in the already required 10 hours of CE units.

For clarification, the **Jurisprudence Exam** for Alabama is required for all **new licensees** in the state, **not licensees renewing licenses**. New grads take the Jurisprudence Exam until they receive a passing score.

There have been comments, questions and concerns regarding the need for this type of continuing education requirement from licensees who possibly did not understand the need, or reasoning, behind these changes. The Board recognizes the safe and legal practices of responsible professionals; however, we are unfortunately reminded on a regular basis of those licensees who do not practice in a responsible manner. Adding these CEU requirements will help ensure that these professionals are aware of the laws and changes that have been made in the laws governing our profession.

Respectfully Submitted,  
Mitzi Watson, PTA  
Board Member

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Renew your license online at:  
[www.pt.alabama.gov](http://www.pt.alabama.gov)

## **2012 LICENSE RENEWAL QUESTIONS**

<b>WHO?</b>	All physical therapists and physical therapist assistants
<b>WHAT?</b>	Renew your PT or PTA license
<b>WHY?</b>	All licenses issued by the board to physical therapists and physical therapist assistants shall expire on the first day of October.
<b>WHEN?</b>	August 1 through September 30, 2012 at midnight
<b>WHERE?</b>	<ol style="list-style-type: none"> <li>1. Online at <a href="http://www.pt.alabama.gov">www.pt.alabama.gov</a> home page (10% audit)</li> <li>2. Paper renewal under FORMS on the website (100% audit)</li> </ol>
<b>FEE?</b>	PT renewal fee is \$70; PTA renewal fee is \$50 (credit card required online; money order/cashiers check for paper renewal)
<b>REQUIREMENT?</b>	All licensees are required to provide proof of at least 10 hours of continuing education each year. PTs are required in “even” years (2012, 2014, 2016, etc.) to have proof of at least a 2-hr Alabama Jurisprudence Course; PTAs are required to do the same in “odd” years (2013, 2015, 2017, etc.).

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All Continuing Education must be pre-approved by the  
Alabama Board of Physical Therapy.  
Continuing Education will not be reviewed between  
August 1st – September 30th .



**From left to right: Jay Segal, Sheila Wright, Representative Jim McClendon, Governor Robert Bentley, Senator Jabo Waggoner, Vince Molyneux, and N.K. Horner at the signing of HB164 into law.**



**Please keep your address updated with the  
Alabama Board of Physical Therapy**

## **2012 LEGISLATIVE SESSION**

The 2012 Alabama Legislative Session began on Tuesday, February 7<sup>th</sup>; and although this was when the Session began, the Board had been working for quite some time on legislation which would improve our Physical Therapy Practice Act. Before the Session ended, HB164 had passed through both the House and the Senate and was signed into law by Governor Bentley. This bill was a different bill from the PT Association's Direct Access bill (HB163 which also passed into law), was not controversial, and had no opposition. Even with that being the case, getting a bill passed in Montgomery is no small order; and the process requires continuous monitoring and forward push. The Board would like to give special thanks to our bill's sponsor, Representative Jim McClendon, as well as to Senator J.T. "Jabo" Waggoner who was responsible for passing the bill through the Senate. It was only with their help and the hard work of both the Board staff and each Board member that we were able to pass this bill.

This bill did not change the way physical therapy is practiced in Alabama, but it did make some needed changes to how physical therapy is regulated as well as clean up and modernize some outdated, inaccurate, and confusing language. The key points to this bill are as follows:

- It changed the referencing of physical therapists throughout our bill from being "registered" to being "licensed".

- It removed language stating that a PT Assistant is synonymous with a PT Technician and provides for a definition of a Physical Therapy Aide.

- It changed the reference to "foreign trained" Physical Therapists to "foreign educated".

- It gave the Board the ability to place restrictions on a license as part of its disciplinary authority.

- It provided statutory authority and responsibility for the Board to establish an impaired practitioner program.

- It gave the Board the authority to collect a fee from providers of continuing education. This was needed so that the cost of reviewing and approving courses could be recovered from the providers of continuing education and not passed on to licensees in the form of increased license renewal fees.

This bill will go into effect on August 1<sup>st</sup>, 2012. The Board is very pleased with these changes and believes that our revised Practice Act is a better tool for regulating the practice of Physical Therapy and protecting the public.

John Cormier, Secretary  
AL Bd of Physical Therapy

ALABAMA STATE BOARD OF PHYSICAL THERAPY  
Perspectives From A Consumer Member  
July 2012

A training session held in Alexandria, Virginia, June 20-23 proved to be an excellent opportunity to learn about roles and responsibilities of State regulatory and licensing boards. As a relatively new Consumer member, it was especially helpful to me in removing the mysteries of many aspects of regulation and licensing of professionals who practice physical therapy.

The three day sessions were planned and conducted by the Federation of State Boards of Physical Therapy. Each session was packed with information and presented in a format that allowed for questions and discussion. The discussions often revealed interesting differences among the States represented and enriched the discussions with new ideas and innovative practices. Throughout the three days we were reminded again and again that the reason for our existence is to protect the public. To fulfill that mission, the Federation is positioned to assist States in providing ways and means of meeting these responsibilities.

My own personal goal for the meeting was to get clarification on the role of a public member (or consumer member in the case of Alabama). The history is one of conflict over why, who, and how many public members should serve. What do non-professionals know about professional requirements for entering the practice of physical therapy? How can they be expected to deal with violations or complaints? What can they contribute to assessing the validity of continuing education for those who practice physical therapy? In short, what can they contribute to professional practices in a field for which they have no education and training?

Fortunately, the participants were provided with written materials that gave me some insights into these questions. The best advice from other Board members is simply that public (consumer) members are not expected to make professional judgments regarding the practice of physical therapy. Rather, our role should be to listen, to obtain facts pertaining to a given situation, and then offer our opinion and exercise our judgment, always taking care to reflect our perception of the public good. To be sure, these actions will be based on one's value system and perceptions of what the public expects from providers of professional services. I believe that exposure to training and orientation such as the sessions I have just attended is essential for responsible board membership.

I was especially interested in learning more about how the test for licensing physical therapists is developed, maintained, and administered. Many practitioners from all over America are involved in developing and validating the various components that make up the National Physical Therapy Exam. Updating and improving the national examination represents a major investment of time and resources and is an on-going activity of the Federation.

Another critical area that has been an emphasis of the Federation is continuing education. The need for this work probably stems from the fact that failure to complete continuing education requirements is the 3<sup>rd</sup> most frequently reported violation for physical therapists, and 2<sup>nd</sup> for physical therapy assistants.

The presentation given by staff at the training session can be found on the Federation's website. It includes a description of the model named continuing competence. To give flesh and bones to the model, there are continuing competence activity standards; Federation certification of activities; practice review tools, and jurisprudence examinations.

In summary, I am grateful for the opportunity to participate in this training activity. It was time well spent. I returned to Alabama and to the work of our State Board for Physical Therapy with these thoughts in mind:

1. Boards should adopt continuous improvement as a goal in fulfilling the mission of protecting the public. The Federation website has a wealth of information that can be used by State boards to improve their work. A Model Practice Act developed by the Federation is a tool for benchmarking and assessing needed improvements and is available on the website. As a State Board, we should be active in participating in the Examination, Licensure and Disciplinary Database. This can help to assure that barriers to public protection are removed.
2. Physical Therapy practice is becoming global in nature. Individuals educated in foreign institutions will be applying for licensure in this country. State Boards must have the capacity to evaluate educational credentials of those applicants.
3. Boards must adapt continuously to technology that is being utilized by the profession in education, testing, data collection, and providing transparency. We should anticipate the streaming of Board sessions. The Federation "walks the walk" in that regard; the presentations made at the training session were available on-line at the Federation website when I arrived home in Alabama.
4. Boards should seek ways to collaborate with other State regulatory and licensing boards. This is often a pathway for improving practices in fields where there are similarities, and offer a more fruitful outcome than fighting turf battles.
5. Boards should provide more information to the public. At the very least, the public should know that the Board meets, and should have some sense of actions that are taken. Ideas and actions are not conveyed by a simple Public Meeting Notice as provided for by statute.

Mary Jolley  
Consumer Member

## **FROM THE CHAIR**

I would like to take this opportunity to thank everyone who nominated me and my fellow Board members. It has been a pleasure working with such an outstanding group of people. In the past 6-9 months we have been successful in getting significant legislation passed. John Cormier and Jay Segal have worked tirelessly throughout the process. I cannot thank them enough for the time and passion that they give their role on the Board.

Licensees are no different from anyone else, and sometimes they face difficult challenges in life. Considering this, the board will be starting a substance abuse/wellness program, as we now have the statutory authority to do so. We are presently exploring all options and will notify licensees as soon as we know when the program will be implemented. Another piece of legislation that passed, which was a pet peeve of mine, is that Technician and the Physical Therapist Assistant are no longer synonymous.

“Direct Access” Legislation proposed by the AL PTA was ultimately signed by the Honorable Governor Bentley. I highly recommend that all licensees read the updated Practice Act and Administrative Code, as there are quite a few changes. This new law can ultimately help the people living in rural areas get the physical therapy services they need. Please remember that all licensees are responsible to know the laws that govern their practice.

The Board’s primary responsibility is to serve and protect the public. With this in mind, I encourage all licensees to either contact their Board representative from the district in which they live or call the board at 334 242 4064 with any questions regarding changes that took place on July 1 or August 1.

In closing, I would like to say I have enjoyed being a Board member. Now that I am Chair, I realize the hard but rewarding work that this position encompasses. I feel honored and will continue to work my hardest to serve the people of our great State. My term expires in October, and I will hopefully be able to continue to serve you for five more years. Again, I would encourage anyone with any questions to visit the website at [www.pt.alabama.gov](http://www.pt.alabama.gov)

With kind regards,  
Richard V Molyneux  
Chair, AL Board of Physical Therapy



**ALABAMA BOARD OF PHYSICAL THERAPY**  
**DISCIPLINARY INVESTIGATIONS AND ACTIONS**

The Board has a three-tier system of discipline.

The lowest level of sanction involves the placing of a *letter of admonition* in a licensee's permanent file.

The intermediate level of sanction involves the licensee entering into a *guilty plea agreement* with the Board, either prior to or following a formal or informal hearing. A licensee who pleads guilty may be required to pay a fine, or be subjected to a period of license suspension, or both.

The highest level of sanction involves a finding of guilt after a *formal administrative hearing*. This level of sanction includes a fine and/or license suspension, and may include license revocation.

Disciplinary actions are matters of public record.

In addition to being included in a licensee's permanent file, disciplinary actions are also published in the Board's semi-annual newsletter and to the Healthcare Integrity Protection Data Bank (HIPDB).

Licensees who either plead guilty, or who are found guilty after either an informal or formal hearing, have their names and the nature of their discipline published in the Board's newsletter and filed with HIPDB.

With a letter of admonition, only the nature of the disciplinary action is published.

In keeping with this policy, the following is a list of the Board's disciplinary actions since the last newsletter:

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**Allegation:** Diversion of Controlled Substance; Failure to meet Licensing Bd Reporting Requirements

**Disposition:** \$3,000 fine

**Case #**      **Name**

11-08-14      Brian K. Fomby, PTA

**Allegation:** Practicing with an Expired License

**Disposition:** \$500 fine

**Case #**      **Name**

12-02-13      Shanavia Alicia Stallworth, PTA

**Allegation:** Practicing with an Expired License

**Disposition:** \$500 fine

**Case #**      **Name**

12-06-15      Susan E. Goode, PT